

BEFORE THE HIGH COURT OF GUJARAT AT AHMEDABAD.

SPECIAL CIVIL APPLICATION NO.5827 OF 1993.

Date of Decision:-12-12-1995.

For Approval and Signature

THE HON'BLE MR. JUSTICE N.N. MATHUR.

1. Whether Reporters of Local Papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether their Lordships wish to see the fair copy of judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder ?
5. Whether it is to be circulated to the Civil Judges ?

Mr. N.S. Desai, Advocate, for the petitioner.

Mr. Mr. M.D. Pandya, Advocate for the respondents.

Coram:-N.N Mathur, J.

Date:--12-12-1995.

Oral Judgemnt:-

By way of this Special Civil Application the petitioner seeks declarations that the disputed bills along with two Statements vide annexure 'A' and the last letter dated 3-6-1993 written by the respondent no.1 to the petitioner are illegal, arbitrary and void.

2. The both the parties have amicably resolved the disputes involved in the present Special Civil Application. Learned Advocate for the petitioner states that the petitioner accepts the liability to make payment

of the amount falling due as per the revised bills and calculation sheets attached with the letter dated 26-11-1991 annexure 'A' to the petition, only for six months of March 1990 to August 1990. After the petitioner being given credit for Rs.3 lacs deposited with the respondent Board towards the claim as per the above revised bills and amount already paid towards said bills as per tabular statement and calculation sheets, the balance amount of Rs.88,263-73 shall be paid by the petitioner to the respondent Board within two weeks hereof and the same be accepted as and by way of settlement, in full and final settlement of the amount claimed as per the letter dated 26-11-1991 and annexure 'A' to the petitioner. The learned Advocate for the respondent Board is agreeable to the settlement of the disputes in above terms upto consensus having been arrived at as per above. The parties request that the petition be disposed of in terms of above.

3. The parties' request is accepted and in view of the above settlement between the parties, the present Special Civil Application is disposed of. There shall be no order as to costs.

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